

**Notice of Allowability**

Application No.

10/814,149

Examiner

Tam Nguyen

Applicant(s)

JUVA, JUSSI

Art Unit

3764

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 10-17-2005.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 1-20-06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joe McKinney Muncie on Friday, January 20, 2006.

1. The application has been amended as follows:

In claim 1, on line 4, delete "a front and a back roll" and insert --said rolls--

In claim 1, on line 4, delete "adjusting the tilt of" and insert --adjustably tilting--

In claim 1, on line 5, delete "a horizontal" and insert --a floor--

In claim 1, on lines 5 and 6, delete "upward from a plane of the frame in an operating position of the treadmill" and insert --upwardly from the frame that is resting horizontally on a floor when the treadmill is in an operating position--

In claim 1, on line 10, delete "the ends, and the entity formed by" and insert --the ends of the low supports wherein--

In claim 1, on line 11, after "the low frame", insert --forms an entity that--

In claim 1, on lines 11-12, delete "of the frame" and insert --on the frame--

In claim 1, on line 12, delete "the entity formed by the support parts and low frame being" and insert --and the entity is--

In claim 1, on line 14, delete "formed by the support parts and low frame"

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In claim 4, delete line 2, and insert --is located at a point where the support parts join the low supports.--

In claim 5, on line 1, delete "any one of the"

In claim 5, on line 2, insert --for-- after "element"

In claim 5, on line 3, delete "formed by the support parts and low frame"

In claim 9, lines 2-3, delete "in the upright position of the frame." and insert --when the frame is in the upright position.--

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

In view of the applicant's amendments and after further consideration of the invention, the claims as presented avoid the prior art of record. The prior art does not disclose a folding treadmill for use on a floor, the treadmill comprising a frame, a belt section having an endless belt, a device for adjustably rotating the belt around a pair of rollers, a device for adjustably tilting the belt section such that a user can exercise on various inclines and a hand support section that includes a support part that extends upwardly from the frame and low supports forming a low frame that extends from the support parts in parallel to the frame and beyond an end of the frame when the treadmill is an operating position. Additionally, the support parts and the low frame form an entity that is turnably pivoted to the frame by means of a transverse shaft on the frame such that when the frame is lifted upright at one end, the entity turns with respect to the floor and in relation to the frame around the transverse shaft so that end regions of the low supports rest against the floor and form points of support to keep the frame upright.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is 571-272-4979. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Cronin can be reached on 571-272-4536. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 20, 2006

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**Stephen K. Cronin**  
Primary Examiner